

judgment has been rendered is a non-resident, or where personal service cannot be had, it shall be lawful for the party wishing to revive any such judgment, to give notice of the same by publication, for three successive weeks, in [58] some newspaper in the county where such judgment is of record, and if there be no paper published in such county, then in the paper nearest to such county; and such publication shall be deemed and taken as a personal service.

**SEC. 2. Notice by publication.** The publication shall be deemed sufficient, if it contain the name of the parties, the nature of the proceeding, the date of the judgment sought to be revived, and the term of the court at which the cause is to be heard, and may be signed by plaintiff's attorney.

**SEC. 3. When to take effect.** This act to take effect and be in force from and after the first day of March, A. D. 1848; said act to be published in the Iowa City papers.

Approved, January 24, 1848.

Published in the Observer, February first, in the Standard, February ninth, and in the Reporter, March fifteenth, eighteen hundred and forty-eight.

## CHAPTER 56.

### DISTRICT COURTS.

AN ACT to amend an act entitled "an act fixing the times of holding the district courts in this state, approved February seventeenth, eighteen hundred and forty-seven.

*Be it enacted by the General Assembly of the State of Iowa,*

**SECTION 1. Courts in fourth district—times and places.** That the times of holding the district courts in the fourth judicial district shall be as follows:

In Johnson county, on the third Monday in March and the first Monday in September;

In Iowa county, on the first Monday after the fourth Monday in March;

In Linn county, on the second Monday after the fourth Monday in March, and the second Monday in September;

In Benton county, on the fourth Monday after the fourth Monday in March, and the third Monday in September;

In Dallas county, on the second Monday in May;

In Polk county, on the Wednesday following the second Monday in May;

In Jasper county, on the third Monday in May;

In Poweshiek county, on the Thursday after the third Monday in May, A. D. 1849, and on the same day in every year thereafter.

**SEC. 2. Effect of change.** No suits, indictments, recognizances, informations, declarations, pleas or other process or proceedings, returnable at, or pending [59] in, the said district courts of any of the counties above named, shall abate, be made void, or in any wise affected, in consequence of any change in the time of holding said courts by the provisions of this act; but when the same may have been issued, or may have been made returnable at any day, in accordance with the time heretofore fixed for holding said courts, they shall be considered returnable to the term of the courts respectively named in this act: and all jurors, witnesses and other persons bound in any way, or summoned to appear

[before] the courts mentioned, at the next term thereof, shall be bound to appear at the term specified for holding courts by this act.

**SEC. 3. When to take effect.** This act shall take effect and be in force from and after its publication in the Iowa Capital Reporter and Iowa Standard.

Approved, January 24, 1848.

Published in the Standard, and in the Reporter, February second, eighteen hundred and forty-eight.

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## CHAPTER 57.

### SCHOOL FUND.

AN ACT to amend an act entitled "an act to provide for the management and distribution of the school fund," approved, twenty-fifth Feb., eighteen hundred and forty-seven.

*Be it enacted by the General Assembly of the State of Iowa,*

**SECTION 1. Rights of assignees of settlers.** That all the rights and privileges conferred by the second section of the act to which this is amendatory, upon the settlers on the sixteenth sections of public lands, shall also be enjoyed by the assignees or legal representative of such settler.

**SEC. 2. Settlers upon sixteenth sections.** That all persons who have settled, or may hereafter settle upon such sixteenth sections, after they may have been surveyed, shall enjoy the same rights which are by law conferred upon those who may have settled prior to such survey, except that such latter settler claiming the right of pre-emption, shall pay an advance of fifty per cent. over and above the appraised value of the land in its unimproved state, and the same course shall be pursued in regard to its valuation and sale, as is provided by the act to which this is amendatory, in relation to sixteenth sections, which may have been settled upon prior to the public surveys.

**SEC. 3. When to take effect.** This act shall take effect and be in force from and after its publication in the Reporter and Standard, of Iowa City.

[60] **SEC. 4. Acts repealed.** All acts or parts of acts contravening the provisions of this act are hereby repealed.

Approved, January 24, 1848.

Published in the Standard, February ninth, and in the Reporter, March fifteenth, eighteen hundred and forty-eight.

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## CHAPTER 58.

### LEE COUNTY JURORS.

AN ACT regulating the fees of jurors in Lee county.

*Be it enacted by the General Assembly of the State of Iowa,*

**SECTION 1. Fees of grand jurors.** That the fees of grand jurors in the several district courts in said county of Lee, shall be one dollar per day for the first six days of their sessions respectively, and for every subsequent day which they may sit they shall receive the sum of fifty cents.